

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Gary A. Snyder

FILED VIA EFS ON Tuesday, August 07, 2007

**Application No.** 10/661,411

**Filed:** September 12, 2003

**Confirmation No.** 6660

**For:** GRAPE FLAVORED POME FRUIT

**Examiner:** Jyoti Chawla

**Art Unit:** 1761

**Attorney Reference No.** 6522-78332-01

FILED VIA EFS  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

The undersigned hereby submits information which may be material to examination of the application.

Filed simultaneously herewith is a Request for Continuing Examination (RCE) and an accompanying response to an outstanding Office action in the above-referenced patent application. While the response was being prepared it was observed that there were several clerical errors in the specification. These clerical errors were made at the time of filing and were unintentional. Accordingly, the examples section of the specification is reproduced below and it has been marked to show the corrected information.

**Marked Specification**

**EXAMPLE 1**

Approximately 40 pounds of freshly picked Topexport® 'Fuji' apple cultivars, were placed or "dipped" in a 70°F admixture. The admixture included approximately 2.56 ± fluid ounces of standard, 26.4% methyl anthranilate concentrate, diluted in a gallon of water,

which is referred to herein as a “~~0.2~~ 2.0 % methyl anthranilate admixture.” This 2.56 + ounce per gallon solution corresponds to approximately a ~~0.205~~ 2 % solution of methyl anthranilate, by volume. The apples were placed in the admixture for approximately 1 second. The apples were then set to dry in two “western lug,” standard 20 pound boxes, for approximately 24 hours. One lug was then placed in cold storage at approximately 35°F and the other maintained at room temperature, averaging 70°F. After an additional period of approximately 24 hours, the cold stored apples had a pronounced grape flavor. The desirable grape flavor remained in the cold stored apples for approximately four more months. The apples left at room temperature had a noticeable grape flavor for the approximate period of one month after treatment.

#### EXAMPLE 2

Approximately 40 pounds of freshly picked ‘Topexport® ‘Fuji’ apple cultivars, were dipped in a 70°F admixture. The admixture included the above discussed ~~0.2%~~ 2% methyl anthranilate admixture. The apples were placed in the admixture for approximately 1 minute. The apples were then set to dry in two western lugs for approximately 24 hours, at an average room temperature of approximately 78°F. One lug was then placed in cold storage at approximately 35°F and the other maintained at an ambient temperature averaging approximately 70°F. After an additional period of approximately 24 hours, the cold stored apples had a pronounced grape flavor. The desirable grape flavor remained in the cold stored apples for approximately four more months. The apples left at room temperature had a noticeable grape flavor for the approximate period of one month after treatment. Both the cold stored apples and the room temperature apples had a more enhanced flavor than the apples treated per Example 1, above.

#### EXAMPLE 3

Approximately 20 pounds of freshly picked Topexport® ‘Fuji’ apple cultivars were, dipped in a 70°F admixture. The admixture included the above discussed ~~0.2%~~ 2% methyl anthranilate admixture. The apples were placed in the solution for approximately 5 minutes. The apples were then set to dry in a western lug, for approximately 24 hours, at an average room temperature of approximately 78°F. A scald appeared on skin of apples, especially near the stem cup. This scaling was apparently induced by the concentrated admixture and the extended dip

time. Even with the higher concentration and dip time, there was no noticeable increase in the grape flavor imparted to the apple, as compared to the apples treated per Example 2 above.

#### EXAMPLE 4

Approximately 20 pounds of freshly picked 'Topexport® 'Fuji' apple cultivars, were dipped in a 70°F admixture. The admixture included approximately 5.12 ~~2~~ fluid ounces of the standard methyl anthranilate solution concentrate, per gallon of water, which is referred to herein as a "~~0.4~~ 4 % methyl anthranilate admixture." This 5.12 ~~2~~ ounce per gallon solution corresponds to approximately a ~~0.406~~ 4 % solution of methyl anthranilate, by volume. The apples were placed in the admixture for approximately 1 second. The apples were then set to dry in a western lug, for approximately 24 hours. The resultant grape flavor was similar to the apples treated for 1 second in the ~~0.2~~ 2 % methyl anthranilate admixture, per Example 1, above.

#### EXAMPLE 5

Approximately 20 pounds of freshly picked 'Topexport® 'Fuji' apple cultivars were dipped in a 70°F admixture. The admixture included approximately 7.68 ~~3~~ fluid ounces of the standard methyl anthranilate solution concentrate, per gallon of water, which is referred to herein as a "~~0.6~~ 6 % methyl anthranilate admixture." This 7.68 ~~3~~ ounce per gallon solution corresponds to approximately a ~~0.605~~ 6 % solution of methyl anthranilate, by volume. The apples were placed in the admixture for approximately 1 minute. The apples were then set to dry in a western lug, for approximately 24 hours, at an average temperature of approximately 78°F. The grape flavor had become too strong for enjoyable eating.

#### EXAMPLE 6

Approximately 20 pounds of an 'Asian' type pear cultivar, were dipped in a 70°F admixture. The admixture included the above discussed ~~0.2~~ 2 % methyl anthranilate admixture. The pears were placed in the admixture for approximately 1 minute. The pears were placed in the admixture for approximately 1 second. The pears were then set to dry in a "western lug," standard 20 pound box, for approximately 24 hours. The lug was then placed in cold storage at approximately 35°F. After an additional period of approximately 24 hours, the pears had pronounced grape flavor, similar to the cold stored apples of Example 2, above.

#### EXAMPLE 7

Approximately 20 pounds store purchased ripe, ready-to-eat 'Asian' type of pear cultivar, were dipped in a 70°F admixture. The admixture included the above discussed ~~0.4%~~ 4% methyl anthranilate admixture. The pears were placed in the admixture for approximately 1 minute. The pears were then set to dry in a western lug, for approximately 24 hours, at an average room temperature of approximately 78°F. The lug was then placed in cold storage at approximately 35°F. After an additional period of approximately 24 hours, the pears had a pronounced grape flavor, which was slightly more pronounced than the grape flavor of Example 6, above.

#### EXAMPLE 8

Approximately 20 pounds store purchased ripe, ready-to-eat 'Asian' type of pear cultivar, were dipped in a 70°F admixture. The admixture included the above discussed ~~0.6%~~ 6% methyl anthranilate admixture. The pears were placed in the admixture for approximately 1 minute. The pears were then set to dry in a western lug, for approximately 24 hours, at an average room temperature of approximately 78 °F. The lug was then placed in cold storage at approximately 35 °F. After an additional period of approximately 24 hours, the pears had a very strong grape flavor, too strong for enjoyable eating, similar to the results found in apples treated per Example 5, above.

#### EXAMPLE 9

Approximately 20 pounds of freshly picked 'Topexport® 'Fuji' apple cultivars were dipped in a 70°F admixture. The admixture included the above discussed ~~0.4%~~ 4% methyl anthranilate admixture. The apples were dipped in the admixture for approximately 1 minute, then allowed to dry in conventional apple trays for one hour, at an average room temperature of approximately 78°F. The apples were then placed in cold storage at approximately 35°F. The apples had an excellent grape flavor and aroma.

#### EXAMPLE 10

Approximately 20 pounds of freshly picked Topexport® 'Fuji' apple cultivars were dipped in a 70°F admixture. The admixture included approximately ~~4/2~~ 1.28 fluid ounces of the

standard methyl anthranilate solution concentrate, per gallon of water, which is referred to herein as a "0-1 1% methyl anthranilate admixture." This 4/2 1.28 ounce per gallon solution corresponds to approximately a 0-1021% solution of methyl anthranilate, by volume. The apples were dipped in the admixture for approximately 1 minute, and then allowed to dry in conventional apple trays for one hour, at an average room temperature of approximately 78°F. No noticeable flavor enhancement occurred.

#### EXAMPLE 11

Approximately 1 pound of store purchased 'Gala' apple cultivars, were dipped in a 65°F admixture. The admixture included the above discussed 0-2% 2% methyl anthranilate admixture. The apples were dipped in the admixture for approximately 1 minute, and then allowed to dry outdoors at a temperature of approximately 90°F. It was noted that prior to purchasing the apples, a wax material had apparently been applied to them. This wax may have acted as a barrier to the admixture and, coupled with the heat encountered in the drying step, resulted in an ineffective impairing of grape flavor to the apple.

#### EXAMPLE 12

Approximately 1 pound of store purchased mix of both Green and Red varieties of D' Anjou' pears, were dipped in a 65 °F admixture. The admixture included the above discussed 0-2% 2% methyl anthranilate admixture. The pears were dipped in the admixture for approximately 1 minute, and then allowed to dry outdoors at a temperature of approximately 90°F. As with the apples of Example 11, above, it was noted that prior to purchasing the pears, a wax material had apparently been applied to them. This wax may have acted as a barrier to the admixture and, coupled with the heat encountered in the drying step, resulted in an ineffective impairing of grape flavor to the pears.

#### EXAMPLE 13

A quantity of 12, freshly picked Sonata® variety of apples, were dipped in a 72°F admixture. The admixture included the above discussed 0-2% 2% methyl anthranilate admixture. The apples were dipped in the admixture for approximately 1 minute. 6 of the apples were placed in cold storage at approximately 35°F. The remaining 6 were placed outdoors at an

average temperature of approximately 70°F, with a high temperature of approximately 85°F. The outdoor apples had only a mild flavor after 3 days and had no grape flavor after 6 days. After 6 days, the apples from cold storage had retained a pronounced grape flavor.

#### EXAMPLE 14

Several Earligold™ variety of apples were either individually dipped or hand sprayed, to compare the relative efficacy of various admixture solutions in this variety. The apples were dipped in, or sprayed with, a 72°F admixture. Each apple was either placed in the admixture for approximately 1 minute, or sprayed with the admixture for complete coverage. The apples were then place in cold storage, for approximately 24 hours, at an average temperature of approximately 35°F.

A first admixture, sprayed onto an apple and received on another by dipping, included the "0.1% 1% methyl anthranilate admixture," which was first described in Example 10, above. No flavor was imparted to the apples by this first admixture.

For a second admixture, sprayed onto an apple and received on another by dipping, included  $\frac{3}{4}$  1.92 fluid ounce of standard, 26.4% methyl anthranilate concentrate. The methyl anthranilate concentrate was diluted in a gallon of water. This second admixture is referred to herein as a "0.15% 1.5% methyl anthranilate admixture." This  $\frac{3}{4}$  1.92 ounce per gallon solution corresponds to approximately a 0.154 1.5% solution of methyl anthranilate, by volume. No flavor was tasted in the apples treated with this second admixture.

A third admixture, sprayed onto an apple and received on another by dipping, included the "0.2% 2% methyl anthranilate admixture," as first described in Example 1, above. A good, grape flavor was distinctly imparted to the apples by this third admixture.

A fourth admixture, applied to an apple, included the "0.4% 4% methyl anthranilate admixture," as first described in Example 4, above. A great grape flavor, more pronounced than that of the third admixture, was imparted distinctly to the apples by this fourth admixture.

A fifth admixture, sprayed onto an apple and received on another by dipping, included the "0.6% 6% methyl anthranilate admixture," as first described in Example 5, above. A strong grape flavor was imparted to the apples by this fifth admixture. The imparted flavor was more pronounced than that of the fourth admixture, and was described as "overpowering."

The undersigned believes that the information presented in this information disclosure statement is accurate, and requests that it be considered during the examination of the above-referenced application.

Gary A. Snyder:

Date: 8-7-07

A handwritten signature in black ink, appearing to read "Gary A. Snyder". The signature is written in a cursive, flowing style.